AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RE THE APPI	Southern I	District of New York	
	JEST FOR EX PARTE DISCOVERY PURSUANT TO 28)	
0.0.0 y 17.02	Plaintiff	- <i>)</i>	
	v.) Civil Action No. 19 –MISC184	
)	
	Defendant		
		CUMENTS, INFORMATION, OR OBJECTS ON OF PREMISES IN A CIVIL ACTION	
To:	Safra National Bank of New York	546 5th Ave, New York, NY 10036	
	(Name of perso	on to whom this subpoena is directed)	
,	electronically stored information, or object e Exhibit A attached hereto	ets, and to permit inspection, copying, testing, or sampling	ng of the
Place: MAF	RKS&SOKOLOV, LLC	Date and Time:	
1835	MARKET STREET, STE. 1717, LADELPHIA, PA 19103	e = * 0 =	
other proper	ty possessed or controlled by you at the tir	ANDED to permit entry onto the designated premises, la me, date, and location set forth below, so that the requestiple the property or any designated object or operation of	sting party
Place:		Date and Time:	
Rule 45(d), r	elating to your protection as a person subjuis subpoena and the potential consequence CLERK OF COURT	OR	
	Signature of Clerk or Depi	nuty Clerk Attorney's signature	
The name, ac	ddress, e-mail address, and telephone num	aber of the attorney representing (name of party)	
		, who issues or requests this subpoen	na, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

	ubpoena for (name of individual and title, if an	v)	
n (date)	<u> </u>		
☐ I served the s	ubpoena by delivering a copy to the nam	ned person as follows:	
		on (date)	; or
☐ I returned the	subpoena unexecuted because:		
tendered to the v	oena was issued on behalf of the United witness the fees for one day's attendance		
\$			
My fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under p	penalty of perjury that this information is	true.	
ate:		Server's signature	
		Printed name and title	
	-	Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

26(b)(2)(C). The court may specify conditions for the discovery.

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

For the period from February 1, 2015 through December 31, 2018, please produce:

all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, checks, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following entities:

(1) MD TRADERS LTD

Country of incorporation: BVI

Registration #: 585424

Known addresses:

Marcy Building, 2nd floor, Road Town, Torltola, BVI

EBOX MAIL SOLUTIONS 13461 NW 19TH LANE DORAL, FL 33182-0000

OCASA INC SORT SF7984 3450 NW 113 COURT DORAL, FL 331780000

To the best of our knowledge **MD TRADERS LTD** maintains or at least earlier maintained the following account in Safra National Bank of New York: <u>6224237</u>.

(2) UNDERWATER MANPOWER SOCIETY LTD

Country of incorporation: Bahamas

Registration #: 171551 B

Known addresses:

Suite 200B, 2nd Floor Centre of Commerce, One Bay Street PO Box N-3944, Nassau, Bahamas

EBOX MAIL SOLUTIONS 13461 NW 19TH LANE DORAL, FL 33182-0000

OCASA INC SORT #SF7986 3450 NW 113 COURT DORAL, FL 331780000

To the best of our knowledge **UNDERWATER MANPOWER SOCIETY LTD** maintains or at least earlier maintained the following account in Safra National Bank of New York: **17249371**.

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134

815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter

f. Privilege asserted

- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.
- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

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DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. And/Or. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. Number. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN DE THE ADDIT	Southern D	District of New York	
	CATION OF PUBLIC JOINT-STOCK COMPANY EST FOR <i>EX PARTE</i> DISCOVERY PURSUANT TO 28		
U.S.C § 1782	Plaintiff	-)	
	V.) Civil Action No. 19 –MISC184	
	••)	
)	
	Defendant)	
	SUBPOENA TO PRODUCE DOC	CUMENTS, INFORMATION, OR OBJECTS	
		ON OF PREMISES IN A CIVIL ACTION	
To:	M.Y. Safra Bank, FSB 499 Park Av	venue, New York, NY 10022	
-	(Name of persor	n to whom this subpoena is directed)	
A Prod	uction: VOII ARE COMMANDED to m	roduce at the time, date, and place set forth below the following	owing
documents, e	lectronically stored information, or objects	es, and to permit inspection, copying, testing, or sampling	of the
	Exhibit A attached hereto	s, and to permit inspection, copying, testing, or sampling	or the
Place: MAD	KS&SOKOLOV, LLC	Date and Time:	
	MARKET STREET, STE. 1717,	Date and Time.	
I	ADELPHIA, PA 19103		
		NDED to permit entry onto the designated premises, land	
		ne, date, and location set forth below, so that the requesting ple the property or any designated object or operation on	
may mspect,	incasure, survey, photograph, test, or samp	pic the property of any designated object of operation on	11.
Place:		Date and Time:	
		are attached – Rule 45(c), relating to the place of complia	
	is subpoena and the potential consequence	ect to a subpoena; and Rule 45(e) and (g), relating to your	t duty to
respond to th	is subpoena and the potential consequence	es of not doing so.	
Date:	II 1,		
	CLERK OF COURT		
	CLERK OF COOKI	OR	
		OK	
	Signature of Clerk or Depu	ty Clerk Attorney's signature	
The name, ad	dress, e-mail address, and telephone numb	ber of the attorney representing (name of party)	
		, who issues or requests this subpoena,	, are:

Notice to the person who issues or requests this subpoena

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AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

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I received this s	ubpoena for (name of individual and title, if a	ny)	
1 (date)	×		
☐ I served the s	subpoena by delivering a copy to the na	med person as follows:	
		on (date);	or
☐ I returned the	e subpoena unexecuted because:		
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
\$			
ly fees are \$	for travel and \$	for services, for a total of \$	0.00
•	penalty of perjury that this information	is true.	
		Server's signature	
		Printed name and title	
		1 птей пите ини ппе	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

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(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
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(1) MD TRADERS LTD

Country of incorporation: BVI

Registration #: 585424

Known addresses:

Marcy Building, 2nd floor, Road Town, Torltola, BVI

EBOX MAIL SOLUTIONS 13461 NW 19TH LANE DORAL, FL 33182-0000

OCASA INC SORT SF7984 3450 NW 113 COURT DORAL, FL 331780000

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Registration #: 171551 B

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Suite 200B, 2nd Floor Centre of Commerce, One Bay Street PO Box N-3944, Nassau, Bahamas

EBOX MAIL SOLUTIONS 13461 NW 19TH LANE DORAL, FL 33182-0000

OCASA INC SORT #SF7986 3450 NW 113 COURT DORAL, FL 331780000

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Country of incorporation: Florida, USA

Registration #: P11000061190

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1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134

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Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter

f. Privilege asserted

- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.
- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

5

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. And/Or. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. Number. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

IN DE TL	HE APPLICATION OF PL	Southern BLIC JOINT-STOCK COMPANY	District of N	ew York	
		RTE DISCOVERY PURSUANT TO 28			
U.S.C § 17		1 • • • • • • •	_)		
	P	laintiff)	Civil Action No.	10 MICC 104
		v.) '	CIVII ACHOII NO.	19 –MISC184
)		
	De	fendant	_		
		DENA TO PRODUCE DOG			
To:					ORK, NY 10019 UNITED STATES
_		(Name of perso	on to whom this	subpoena is directed)	
docum	Deproduction: YOU nents, electronically al: See Exhibit A a	stored information, or object	produce at the	e time, date, and p mit inspection, co	lace set forth below the following pying, testing, or sampling of the
Place	: MARKS&SOKOL 1835 MARKET S PHILADELPHIA,	TREET, STE. 1717,		Date and Time:	
other p	property possessed	or controlled by you at the ti	me, date, and	l location set forth	e designated premises, land, or below, so that the requesting party ated object or operation on it.
Place				Date and Time:	
	5(d), relating to yo	ur protection as a person sub and the potential consequence	ject to a subp	ooena; and Rule 45	ating to the place of compliance; 5(e) and (g), relating to your duty to
		CLERK OF COURT		OR	
		Signature of Clerk or Dep	uty Clerk		Attorney's signature
The na	nme, address, e-mai	l address, and telephone num	ber of the at	torney representing	g (name of party)
	,,	, ,			s or requests this subpoena, are:
				, , ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	or requests and supposite, are.

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this su	bpoena for (name of individual and title, if an	<i>y)</i>	
n (date)	*		
☐ I served the su	ubpoena by delivering a copy to the nan	ned person as follows:	
:		on (date) ;	or
☐ I returned the	subpoena unexecuted because:		
tendered to the w	vitness the fees for one day's attendance	States, or one of its officers or agents, I, and the mileage allowed by law, in the	
\$	<u>8</u> *		
Iy fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under p	enalty of perjury that this information is	s true.	
ate:		Server's signature	
		Printed name and title	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RETHE APPLICATION OF P	Southern District of PUBLIC JOINT-STOCK COMPANY	New York	
ALROSA'S REQUEST FOR EX F U.S.C § 1782	PARTE DISCOVERY PURSUANT TO 28 Plaintiff v.) Defendant)	Civil Action No.	w w
	POENA TO PRODUCE DOCUMENT R TO PERMIT INSPECTION OF PR		
To: BNP PARIBAS	S INC., THE EQUITABLE TOWER, 787 7	TH AVE, NEW YO	RK, NY 10019
	(Name of person to whom t	his subpoena is directed	
	DU ARE COMMANDED to produce at ly stored information, or objects, and to pattached hereto		
Place: MARKS&SOKO 1835 MARKET PHILADELPHIA	STREET, STE. 1717,	Date and Time:	, ₁₁ = 0 =
other property possesses	remises: YOU ARE COMMANDED to d or controlled by you at the time, date, a urvey, photograph, test, or sample the pr	nd location set forth	below, so that the requesting party
Place:		Date and Time:	
Rule 45(d), relating to y	provisions of Fed. R. Civ. P. 45 are attack our protection as a person subject to a su a and the potential consequences of not c	bpoena; and Rule 4	
Date:	<u></u>		
	CLERK OF COURT	OR	
	Signature of Clerk or Deputy Clerk		Attorney's signature
The name, address, e-ma	ail address, and telephone number of the	• •	g (name of party) es or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)	
1 (date)	×		
☐ I served the s	subpoena by delivering a copy to the na	med person as follows:	
		on (date);	or
☐ I returned the	e subpoena unexecuted because:		
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
\$			
ly fees are \$	for travel and \$	for services, for a total of \$	0.00
•	penalty of perjury that this information	is true.	
		Server's signature	
		Printed name and title	
		1 птей пите ини ппе	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern IN RE THE APPLICATION OF PUBLIC JOINT-STOCK COMPANY	District of New York
ALROSA'S REQUEST FOR EX PARTE DISCOVERY PURSUANT TO 2	18
US.C § 1782)
Plaintiff) Ciril Artist No. 1000 100
V.) Civil Action No. 19 –MISC184
)
Dejenaani)
	OCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTI	ON OF PREMISES IN A CIVIL ACTION
To: BANK OF AMERICA, N.A., 115 W 42ND S	TREET, NEW YORK, NY 10036
(Name of per	son to whom this subpoena is directed)
Production: YOU ARE COMMANDED to	produce at the time, date, and place set forth below the following
documents, electronically stored information, or obje	ects, and to permit inspection, copying, testing, or sampling of the
material: See Exhibit A attached hereto	
Place: MARKS&SOKOLOV, LLC	Date and Time:
1835 MARKET STREET, STE. 1717,	
PHILADELPHIA, PA 19103	
☐ Inspection of Promises: VOII ARE COMM	ANDED to permit entry onto the designated premises, land, or
	time, date, and location set forth below, so that the requesting party
	mple the property or any designated object or operation on it.
Place:	Date and Time:
The following provisions of Fed P. Civ. P.	15 are attached – Rule 45(c), relating to the place of compliance;
	bject to a subpoena; and Rule 45(e) and (g), relating to your duty to
respond to this subpoena and the potential consequen	
Date:	
CLERK OF COURT	
	OR
Signature of Clerk or De	puty Clerk Attorney's signature
The name, address, e-mail address, and telephone nur	• • • • • • • • • • • • • • • • • • •
	, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)	
1 (date)	×		
☐ I served the s	subpoena by delivering a copy to the na	med person as follows:	
		on (date);	or
☐ I returned the	e subpoena unexecuted because:		
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
\$			
ly fees are \$	for travel and \$	for services, for a total of \$	0.00
•	penalty of perjury that this information	is true.	
		Server's signature	
		Printed name and title	
		1 птей пите ини ппе	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

- (ii) is commanded to attend a trial and would not incur substantial expense.
- (2) For Other Discovery. A subpoena may command:
- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored

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(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

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Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

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- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
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TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

SO IN RE THE APPLICATION OF PUBLIC JOINT-STOCK COMPA	uthern District of New York
ALROSA'S REQUEST FOR $\it{EX PARTE}$ DISCOVERY PURSUAL	
US.C § 1782 Plaintiff	
V.) Civil Action No. 19 –MISC184
)
)
Defendant)
	CE DOCUMENTS, INFORMATION, OR OBJECTS DECTION OF PREMISES IN A CIVIL ACTION
To: CAPITAL ONE BANK (USA) N.A. 84	45 3rd Ave, New York, NY 10022
(Name	e of person to whom this subpoena is directed)
documents, electronically stored information, of material: See Exhibit A attached hereto	ED to produce at the time, date, and place set forth below the following or objects, and to permit inspection, copying, testing, or sampling of the
Place: MARKS&SOKOLOV, LLC	Date and Time:
1835 MARKET STREET, STE. 1717, PHILADELPHIA, PA 19103	
other property possessed or controlled by you a	OMMANDED to permit entry onto the designated premises, land, or at the time, date, and location set forth below, so that the requesting party , or sample the property or any designated object or operation on it.
Place:	Date and Time:
	iv. P. 45 are attached – Rule 45(c), relating to the place of compliance; son subject to a subpoena; and Rule 45(e) and (g), relating to your duty to sequences of not doing so.
CLERK OF COURT	
	OR
Signature of Cler	k or Deputy Clerk Attorney's signature
The name address e-mail address and telepho	one number of the attorney representing (name of party)
The name, address, e-mail address, and telepho	, who issues or requests this subpoena, are:
	, who issues of requests this subpocha, arc.

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this sub	ppoena for (name of individual and title, if	any)	
(date)	×		
☐ I served the su	bpoena by delivering a copy to the na	amed person as follows:	
		on (date) ;	or
☐ I returned the	subpoena unexecuted because:		
tendered to the w		d States, or one of its officers or agents, I ce, and the mileage allowed by law, in the	
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under pe	enalty of perjury that this information	is true.	
e:		Server's signature	
		Printed name and title	
	-	Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern Dis In Re the application of public joint-stock company	strict of New York
ALROSA'S REQUEST FOR EX PARTE DISCOVERY PURSUANT TO 28	
US.C § 1782	
Plaintiff) Civil Action No. 40 MICO 404
V.) Civil Action No. 19 –MISC184
)
Dejenaan	,
	MENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION	OF PREMISES IN A CIVIL ACTION
To: CAPITAL ONE, N.A., 845 3rd Ave, New York,	NY 10022
(Name of person t	to whom this subpoena is directed)
Production: YOU ARE COMMANDED to pro	duce at the time, date, and place set forth below the following
documents, electronically stored information, or objects,	and to permit inspection, copying, testing, or sampling of the
material: See Exhibit A attached hereto	
Place: MARKS&SOKOLOV, LLC	Date and Time:
1835 MARKET STREET, STE. 1717,	
PHILADELPHIA, PA 19103	
Themselies of Premises, VOII ADE COMMAN	DED to normality outers out a the decisionated anomices land on
	DED to permit entry onto the designated premises, land, or e, date, and location set forth below, so that the requesting party
	e the property or any designated object or operation on it.
Place:	Date and Time:
	re attached – Rule 45(c), relating to the place of compliance; et to a subpoena; and Rule 45(e) and (g), relating to your duty to
respond to this subpoena and the potential consequences	
respond to this supporting the potential consequences	of not doing so.
Date:	
CLERK OF COURT	
CLLIN OF COOK	OR
Signature of Clerk or Deputy	Clerk Attorney's signature
The name address a mail address and talant are number	w of the attempts were continue (
The name, address, e-mail address, and telephone number	
	, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)	
1 (date)	×		
☐ I served the s	subpoena by delivering a copy to the na	med person as follows:	
		on (date);	or
☐ I returned the	e subpoena unexecuted because:		
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
\$			
ly fees are \$	for travel and \$	for services, for a total of \$	0.00
•	penalty of perjury that this information	is true.	
		Server's signature	
		Printed name and title	
		1 птей пите ини ппе	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
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EXHIBIT A

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Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

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CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern Distrin Re the application of public joint-stock company	ict of New York
ALROSA'S REQUEST FOR EX PARTE DISCOVERY PURSUANT TO 28	
US.C § 1782 Plaintiff)
V.) Civil Action No. 19 –MISC184
)
)
Defendant)
	IENTS, INFORMATION, OR OBJECTS OF PREMISES IN A CIVIL ACTION
To: CITIBANK N.A., 399 PARK AVENUE, NEW YO	DRK, NY 10022
(Name of person to	whom this subpoena is directed)
	uce at the time, date, and place set forth below the following and to permit inspection, copying, testing, or sampling of the
Place: MARKS&SOKOLOV, LLC	Date and Time:
1835 MARKET STREET, STE. 1717, PHILADELPHIA, PA 19103	Date and Time.
other property possessed or controlled by you at the time, of may inspect, measure, survey, photograph, test, or sample	
Place:	Date and Time:
	attached – Rule 45(c), relating to the place of compliance; to a subpoena; and Rule 45(e) and (g), relating to your duty to f not doing so.
CLERK OF COURT	
	OR
Signature of Clerk or Deputy C	lerk Attorney's signature
The name address a mail address and talanhan a mail a	of the attempty representing (come of
The name, address, e-mail address, and telephone number of	
	, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)	
1 (date)	×		
☐ I served the s	subpoena by delivering a copy to the na	med person as follows:	
		on (date);	or
☐ I returned the	e subpoena unexecuted because:		
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
\$			
ly fees are \$	for travel and \$	for services, for a total of \$	0.00
•	penalty of perjury that this information	is true.	
		Server's signature	
		Printed name and title	
		1 птей пите ини ппе	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RE TE	Souther HE APPLICATION OF PUBLIC JOINT-STOCK COMPANY	n District of N	lew York	
	'S REQUEST FOR EX PARTE DISCOVERY PURSUANT TO)	Civil Action No.	19 -MISC184
	Defendant	_)		20
	SUBPOENA TO PRODUCE DO OR TO PERMIT INSPECT			
To:	COMMERZBANK, N.A., 225 LIBERTY STR	LEET, 34TH FI	OOR, NEW YOR	K, NY 10281 –1050
_	(Name of pe	rson to whom this	s subpoena is directed)	
docum	Production: YOU ARE COMMANDED to tents, electronically stored information, or objust: See Exhibit A attached hereto	o produce at the ects, and to pe	te time, date, and permit inspection, co	lace set forth below the following pying, testing, or sampling of the
Place	: MARKS&SOKOLOV, LLC 1835 MARKET STREET, STE. 1717, PHILADELPHIA, PA 19103		Date and Time:	g ^{pr}
other p	Inspection of Premises: YOU ARE COMN property possessed or controlled by you at the aspect, measure, survey, photograph, test, or say	time, date, and	d location set forth	below, so that the requesting party
Place	»:		Date and Time:	
	The following provisions of Fed. R. Civ. P. 5(d), relating to your protection as a person st d to this subpoena and the potential conseque CLERK OF COURT	ubject to a subj	poena; and Rule 45	
		Januty Clark	_	Attornon's signature
	Signature of Clerk or D	ершу Сіегк		Attorney's signature
The na	ume, address, e-mail address, and telephone nu	ımber of the at		
			, who issue	s or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)				
1 (date)	×					
☐ I served the s	☐ I served the subpoena by delivering a copy to the named person as follows:					
		on (date);	or			
☐ I returned the	e subpoena unexecuted because:					
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the				
\$						
ly fees are \$	for travel and \$	for services, for a total of \$	0.00			
•	penalty of perjury that this information	is true.				
		Server's signature				
		Printed name and title				
		1 птей пите ини ппе				
		Server's address				

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RE TH	Southern Di E APPLICATION OF PUBLIC JOINT-STOCK COMPANY	istrict of N	New York	
	S REQUEST FOR EX PARTE DISCOVERY PURSUANT TO 28)		
0.5.C y 17	Plaintiff)		
	v.)	Civil Action No.	19 -MISC184
)		26
	Defendant)		
	Dejenaam	,		
	SUBPOENA TO PRODUCE DOCU OR TO PERMIT INSPECTION			
To:	DEUTSCHE BANK, 60 WALL STREET, NY, 1	NY 1000	5	
	(Name of person	to whom the	is subpoena is directed)	
materia	al: See Exhibit A attached hereto			
Place	MARKS&SOKOLOV, LLC 1835 MARKET STREET, STE. 1717, PHILADELPHIA, PA 19103		Date and Time:	, P 3 -
other p	Inspection of Premises: YOU ARE COMMAN property possessed or controlled by you at the time spect, measure, survey, photograph, test, or samp	e, date, an	nd location set forth	below, so that the requesting party
Place			Date and Time:	
	The following provisions of Fed. R. Civ. P. 45 a 5(d), relating to your protection as a person subject to this subpoena and the potential consequences CLERK OF COURT	ct to a sub	ppoena; and Rule 45	
	Signature of Clerk or Deputy	y Clerk		Attorney's signature
The na	me, address, e-mail address, and telephone number	er of the a		g (name of party) s or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)				
1 (date)	×					
☐ I served the s	☐ I served the subpoena by delivering a copy to the named person as follows:					
		on (date);	or			
☐ I returned the	e subpoena unexecuted because:					
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the				
\$						
ly fees are \$	for travel and \$	for services, for a total of \$	0.00			
•	penalty of perjury that this information	is true.				
		Server's signature				
		Printed name and title				
		1 птей пите ини ппе				
		Server's address				

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RE TH	Southern D	District of N	ew York	
	S REQUEST FOR EX PARTE DISCOVERY PURSUANT TO 28)		
U.S.C § 17	Plaintiff Plaintiff	= <i>)</i>		
	v.	j ·	Civil Action No.	19 -MISC184
)		26
	Defendant	-))		
	•	, ,	NEODIC ELON	I OD ODIFICATO
	SUBPOENA TO PRODUCE DOC OR TO PERMIT INSPECTIO			•
To:	DEUTSCHE BANK TRUST COMPANY AMI	ERICAS, 60	WALL STREET,	NY, NY 10005
_	(Name of person	n to whom this	subpoena is directed)	
4	Production: YOU ARE COMMANDED to pi	roduce at th	e time, date, and n	lace set forth below the following
docum	ents, electronically stored information, or object	s, and to per	rmit inspection, co	pying, testing, or sampling of the
materia	al: See Exhibit A attached hereto			
DI			D (1m'	
Place	: MARKS&SOKOLOV, LLC 1835 MARKET STREET, STE. 1717,		Date and Time:	
	PHILADELPHIA, PA 19103			
	L	NDED 4		. designated manning land on
	Inspection of Premises: YOU ARE COMMA property possessed or controlled by you at the time			
	spect, measure, survey, photograph, test, or samp			
DI			D / Lm'	
Place	:		Date and Time:	
Dula 4	The following provisions of Fed. R. Civ. P. 45			
	5(d), relating to your protection as a person subjuded to this subpoena and the potential consequence			b(e) and (g), relating to your duty to
_ ^	a to this supposite and the potential consequence	25 01 1101 401	ing so.	
Date:				
	CLERK OF COURT			
			OR	
	Signature of Clerk or Depu	ıty Clerk		Attorney's signature
The no	me, address, e-mail address, and telephone numb	her of the at	torney representing	a (name of narty)
I IIC IIA	me, address, e-man address, and telephone numb	on or the at		s or requests this subpoena, are:
			, who issue	or requests tins suppoetta, are.

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)				
1 (date)	×					
☐ I served the s	☐ I served the subpoena by delivering a copy to the named person as follows:					
		on (date);	or			
☐ I returned the	e subpoena unexecuted because:					
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the				
\$						
ly fees are \$	for travel and \$	for services, for a total of \$	0.00			
•	penalty of perjury that this information	is true.				
		Server's signature				
		Printed name and title				
		1 птей пите ини ппе				
		Server's address				

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

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- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored

information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RE THE APPLICATION OF PUBLIC JOINT-STOC	Southern District of No	ew York	
ALROSA'S REQUEST FOR EX PARTE DISCOVERY U.S.C § 1782 Plaintiff V. Defendant	PURSUANT TO 28)	Civil Action No.	19 –MISC184
	RODUCE DOCUMENTS, T INSPECTION OF PRE		
To: HSBC BANK USA, N.A., 452 I	FIFTH AVE, 4TH FLOOR, N	IEW YORK NY 10	0018
-	(Name of person to whom this	subpoena is directed)	
documents, electronically stored inform material: See Exhibit A attached hereto	nation, or objects, and to per	e time, date, and primit inspection, co	lace set forth below the following pying, testing, or sampling of the
Place: MARKS&SOKOLOV, LLC 1835 MARKET STREET, STE. PHILADELPHIA, PA 19103	. 1717,	Date and Time:	, ₂ -
☐ Inspection of Premises: YOU other property possessed or controlled may inspect, measure, survey, photogra	by you at the time, date, and	location set forth	below, so that the requesting party
Place:		Date and Time:	
Rule 45(d), relating to your protection respond to this subpoena and the potent	as a person subject to a subptial consequences of not doi	ooena; and Rule 45	ating to the place of compliance; $\delta(e)$ and $\delta(e)$, relating to your duty to
CLERK OF	COURI	OR	
Signatu	re of Clerk or Deputy Clerk	-	Attorney's signature
The name, address, e-mail address, and	I telephone number of the att	torney representing	g (name of party)
	<u>-</u>	• •	s or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)				
1 (date)	×					
☐ I served the s	☐ I served the subpoena by delivering a copy to the named person as follows:					
		on (date);	or			
☐ I returned the	e subpoena unexecuted because:					
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the				
\$						
ly fees are \$	for travel and \$	for services, for a total of \$	0.00			
•	penalty of perjury that this information	is true.				
		Server's signature				
		Printed name and title				
		1 птей пите ини ппе				
		Server's address				

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
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- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
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- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
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(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

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Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
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TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RE THE APPLICATION OF PU	Southern District of	f New York	
ALROSA'S REQUEST FOR EX PAUS.C § 1782	Plaintiff) V.) efendant)	Civil Action No.	19 –MISC184
	OENA TO PRODUCE DOCUMENT R TO PERMIT INSPECTION OF PI		
To: JP MORGAN O	CHASE, N.A 270 PARK AVENUE, 31S	T FLOOR, NEW YO	PRK, NY 10017
	(Name of person to whom	this subpoena is directed)
documents, electronically material: See Exhibit A a	U ARE COMMANDED to produce at y stored information, or objects, and to attached hereto	the time, date, and permit inspection, co	place set forth below the following opying, testing, or sampling of the
Place: MARKS&SOKOL 1835 MARKET S PHILADELPHIA	STREET, STE. 1717,	Date and Time:	e m *) -
other property possessed	emises: YOU ARE COMMANDED to or controlled by you at the time, date, urvey, photograph, test, or sample the p	and location set forth	below, so that the requesting party
Place:		Date and Time:	
Rule 45(d), relating to yo	rovisions of Fed. R. Civ. P. 45 are attactour protection as a person subject to a s and the potential consequences of not	ubpoena; and Rule 4	
Date:	=		
	CLERK OF COURT	OR	
	Signature of Clerk or Deputy Clerk		Attorney's signature
The name, address, e-ma	il address, and telephone number of the	• •	ng (name of party) es or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)				
1 (date)	×					
☐ I served the subpoena by delivering a copy to the named person as follows:						
		on (date);	or			
☐ I returned the	e subpoena unexecuted because:					
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the				
\$						
ly fees are \$	for travel and \$	for services, for a total of \$	0.00			
•	penalty of perjury that this information	is true.				
		Server's signature				
		Printed name and title				
		1 птей пите ини ппе				
		Server's address				

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

- (ii) is commanded to attend a trial and would not incur substantial expense.
- (2) For Other Discovery. A subpoena may command:
- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RETHE APPLICATION OF P	Southern District UBLIC JOINT-STOCK COMPANY	of New York	
ALROSA'S REQUEST FOR EX P. U.S.C § 1782	Plaintiff) V.) Defendant)	Civil Action 1	No. 19 –MISC184
SUBF	POENA TO PRODUCE DOCUME	NTS, INFORMAT	ΓΙΟΝ, OR OBJECTS
	R TO PERMIT INSPECTION OF		
To: THE BANK OI	F NEW YORK MELLON, 240 GREEN	NWICH STREET, 1	NEW YORK, NY 10286
	(Name of person to who	om this subpoena is dir	ected)
	y stored information, or objects, and		and place set forth below the following n, copying, testing, or sampling of the
Place: MARKS&SOKO 1835 MARKET S PHILADELPHIA	STREET, STE. 1717,	Date and Tir	ne:
other property possessed	emises: YOU ARE COMMANDED to controlled by you at the time, dat urvey, photograph, test, or sample the	e, and location set	forth below, so that the requesting party
Place:		Date and Tim	ne:
Rule 45(d), relating to y	rovisions of Fed. R. Civ. P. 45 are attour protection as a person subject to a and the potential consequences of no CLERK OF COURT	a subpoena; and Ru), relating to the place of compliance; ale 45(e) and (g), relating to your duty to
	Ci		444
	Signature of Clerk or Deputy Clerk		Attorney's signature
The name, address, e-ma	ail address, and telephone number of		enting (name of party) issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subn (date)	opoena for (name of individual and title, if a	ny)					
	— *						
☐ I served the su	☐ I served the subpoena by delivering a copy to the named person as follows:						
		on (date) ;	or				
☐ I returned the s	subpoena unexecuted because:						
	Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of						
\$	<u> </u>						
fees are \$	for travel and \$	for services, for a total of \$	0.00				
I declare under pe	enalty of perjury that this information i	is true.					
e:	_	Server's signature					
		Printed name and title					
	-	Server's address					

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
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- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
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Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

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CINQ (Transaction Internal Reference) ID

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Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

	New York
ALROSA'S REQUEST FOR EX PARTE DISCOVERY PURSUANT TO 28 U.S.C § 1782 Plaintiff)	
v.)	Civil Action No. 19 –MISC184
Defendant)	
SUBPOENA TO PRODUCE DOCUMENT OR TO PERMIT INSPECTION OF PR	
To: PNC BANK, N.A., 200 BROADWAY FULTON BLDG	NEW YORK, NY 10038
(Name of person to whom to	nis subpoena is directed)
Production: YOU ARE COMMANDED to produce at documents, electronically stored information, or objects, and to produce at material: See Exhibit A attached hereto	
Place: MARKS&SOKOLOV, LLC 1835 MARKET STREET, STE. 1717, PHILADELPHIA, PA 19103	Date and Time:
☐ Inspection of Premises: YOU ARE COMMANDED to other property possessed or controlled by you at the time, date, a may inspect, measure, survey, photograph, test, or sample the present t	nd location set forth below, so that the requesting party
Place:	Date and Time:
The following provisions of Fed. R. Civ. P. 45 are attach Rule 45(d), relating to your protection as a person subject to a su respond to this subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of not deposit of the subpoena and the potential consequences of the subpoena and the subpoena and the potential consequences of the subpoena and the subpoena	bpoena; and Rule 45(e) and (g), relating to your duty to
Date:	
CLERK OF COURT	OR
Signature of Clerk or Deputy Clerk	Attorney's signature
The name, address, e-mail address, and telephone number of the	• • • • • • • • • • • • • • • • • • • •
	, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)				
1 (date)	×					
☐ I served the subpoena by delivering a copy to the named person as follows:						
		on (date);	or			
☐ I returned the	e subpoena unexecuted because:					
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the				
\$						
ly fees are \$	for travel and \$	for services, for a total of \$	0.00			
•	penalty of perjury that this information	is true.				
		Server's signature				
		Printed name and title				
		1 птей пите ини ппе				
		Server's address				

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RE TH	Southern Di HE APPLICATION OF PUBLIC JOINT-STOCK COMPANY	istrict of New Yor	rk	
	'S REQUEST FOR EX PARTE DISCOVERY PURSUANT TO 28)		
0.5.C y 1,	Plaintiff)		
	v.) Civil A	Action No.	19 -MISC184
)		ET
	 Defendant)		
	SUBPOENA TO PRODUCE DOCU	IIMENTS INFO	DMATIO	N OD ORIECTS
	OR TO PERMIT INSPECTION			
To:	STANDARD CHARTERED BANK, 1095 6TH	1 AVE #37, NEW	YORK, NY	10036
-	(Name of person	to whom this subpoet	na is directed,	
	nents, electronically stored information, or objects al: See Exhibit A attached hereto	, and to permit in	spection, co	ppying, testing, or sampling of the
Place	:: MARKS&SOKOLOV, LLC	Date a	and Time:	
	1835 MARKET STREET, STE. 1717, PHILADELPHIA, PA 19103			0 -
other p	Inspection of Premises: YOU ARE COMMAN property possessed or controlled by you at the time aspect, measure, survey, photograph, test, or samp	e, date, and locati	on set forth	below, so that the requesting party
Place	e:	Date a	nd Time:	
	The following provisions of Fed. R. Civ. P. 45 at 25(d), relating to your protection as a person subject to this subpoena and the potential consequences CLERK OF COURT	oct to a subpoena; s of not doing so. OR	and Rule 4:	5(e) and (g), relating to your duty to
	Signature of Clerk or Deputy	y Clerk		Attorney's signature
The na	ame, address, e-mail address, and telephone number	er of the attorney	representin	g (name of party)
			, who issue	es or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title, if a	ny)				
1 (date)	×					
☐ I served the subpoena by delivering a copy to the named person as follows:						
		on (date);	or			
☐ I returned the	e subpoena unexecuted because:					
tendered to the v	witness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the				
\$						
ly fees are \$	for travel and \$	for services, for a total of \$	0.00			
•	penalty of perjury that this information	is true.				
		Server's signature				
		Printed name and title				
		1 птей пите ини ппе				
		Server's address				

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

IN RE THE APPLICATION OF PU	Southern District	of New York	
ALROSA'S REQUEST FOR EX PAUS.C § 1782	Plaintiff) V.)	Civil Action	on No. 19 –MISC184
Do	efendant)		7/
	OENA TO PRODUCE DOCUME R TO PERMIT INSPECTION OF		
To: UBS A.G., 12	285 AVENUE OF THE AMERICAS,	NEW YORK, N	Y 10019 UNITED STATES
	(Name of person to who	om this subpoena is c	directed)
	y stored information, or objects, and		e, and place set forth below the following tion, copying, testing, or sampling of the
Place: MARKS&SOKOL 1835 MARKET S PHILADELPHIA	STREET, STE. 1717,	Date and T	Гіте:
other property possessed	or controlled by you at the time, date	e, and location se	onto the designated premises, land, or et forth below, so that the requesting party designated object or operation on it.
Place:		Date and T	Time:
Rule 45(d), relating to yo		a subpoena; and l	(c), relating to the place of compliance; Rule 45(e) and (g), relating to your duty to
		OR	
	Signature of Clerk or Deputy Clerk	:	Attorney's signature
The name, address, e-ma	il address, and telephone number of t		resenting (name of party) no issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this su	abpoena for (name of individual and title, if an	y)	
n (date)	r		
☐ I served the s	ubpoena by delivering a copy to the nan	ned person as follows:	
		on (date) ;	or
☐ I returned the	subpoena unexecuted because:		
tendered to the w	vitness the fees for one day's attendance	States, or one of its officers or agents, I, and the mileage allowed by law, in the	
\$	<u> </u>		
ly fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under p	enalty of perjury that this information is	s true.	
ite:		Server's signature	
		server's signature	
		Printed name and title	
	-	Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

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(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

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The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

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Also spelled as:

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"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

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CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District o IN RE THE APPLICATION OF PUBLIC JOINT-STOCK COMPANY	f New York
ALROSA'S REQUEST FOR EX PARTE DISCOVERY PURSUANT TO 28	
US.C § 1782) Plaintiff)	
v.)	Civil Action No. 19 -MISC184
)	z/
Defendant)	
Dejenaani)	
SUBPOENA TO PRODUCE DOCUMEN OR TO PERMIT INSPECTION OF P	
To: WELLS FARGO, N.A., 150 E. 42ND STREET, NY, N	IY 10017
(Name of person to whom	this subpoena is directed)
♣ Production: YOU ARE COMMANDED to produce a documents, electronically stored information, or objects, and to material: See Exhibit A attached hereto	permit inspection, copying, testing, or sampling of the
Place: MARKS&SOKOLOV, LLC	Date and Time:
1835 MARKET STREET, STE. 1717, PHILADELPHIA, PA 19103	e = * > - > -
Inspection of Premises: YOU ARE COMMANDED to other property possessed or controlled by you at the time, date, may inspect, measure, survey, photograph, test, or sample the property.	and location set forth below, so that the requesting party
The following provisions of Fed. R. Civ. P. 45 are attacked Rule 45(d), relating to your protection as a person subject to a serespond to this subpoena and the potential consequences of not	subpoena; and Rule 45(e) and (g), relating to your duty to
Date:	
CLERK OF COURT	
	OR
Signature of Clerk or Deputy Clerk	Attorney's signature
The name, address, e-mail address, and telephone number of th	• • • • • • • • • • • • • • • • • • • •
	, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subn (date)	opoena for (name of individual and title, if a	ny)	
	— *		
☐ I served the su	bpoena by delivering a copy to the nar	med person as follows:	
		on (date) ;	or
☐ I returned the s	subpoena unexecuted because:		
		States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
\$	<u> </u>		
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under pe	enalty of perjury that this information i	is true.	
e:	_	Server's signature	
		Printed name and title	
	-	Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. For the period from February 1, 2015 through December 31, 2018, please produce: all wire transfers to; wire transfers from; and all documents and records including but not limited to applications to open an account, account records, monthly statements, wire transfer records, deposit or withdraw records and/or cancelled checks in the name of, or concerning, the following persons:

(1) DAVID MISHAL

Also spelled as:

"DAVID MICHAL"

"DAVID MISHAL AND/OR TZIPORA"

(2) IURII ANATOLIEVICH NEUIMIN

Also spelled as:

"IURII ANATOLIEVICH NEUMIN"

"NEUIMIN IURII ANATOLIEVICH"

"Yuri Neumin"

"Yuri Neuimin"

"Yurii Neumin"

"Yurii Neuimin"

(3) MD AMERICA TRADING INC

Country of incorporation: Florida, USA

Registration #: P11000061190

Known addresses:

1108 PONCE DE LEON BOULEVARD CORAL GABLES, FL 33134 815 PONCE DE LEON BLVD CORAL GABLES FL 33134-3038

INSTRUCTIONS

- 1. You are instructed to consecutively paginate (i.e., bates label) all responsive documents produced.
- 2. Pursuant to the Subpoena served upon you, please produce the categories of documents identified below in the "Schedule of Documents to be Produced."
- 3. The attached Subpoena is continuing in nature and any additional documents shall be produced as they become available.
- 4. For any electronic wire information, please provide information with regard to the following:

TXN (Transaction) Date

CINQ (Transaction Internal Reference) ID

Payment Method

Base Amount

Originator Name

Originator Account ID

Originator Address Street 1

Originator Address Street 2

Originator Address Street 3

Originator Address City

Originator Address Postal Code

Originator Address Country Code

Originator Address State Code

Originator's Bank Name

Originator's Bank Account ID

Originator's Bank Address Street 1

Originator's Bank Address Street 2

Originator's Bank Address Street 3

Originator's Bank Address City

Originator's Bank Address Postal Code

Originator's Bank Address Country Code

Originator's Bank Address State Code

Beneficiary Name

Beneficiary Account ID

Beneficiary Address Street 1

Beneficiary Address Street 2

Beneficiary Address Street 3

Beneficiary Address City

Beneficiary Address Postal Code

Beneficiary Address Country Code

Beneficiary Address State Code

Beneficiary's Bank Name

Beneficiary's Bank Account ID

Beneficiary's Bank Address Street 1

Beneficiary's Bank Address Street 2

Beneficiary's Bank Address Street 3

Beneficiary's Bank Address City

Beneficiary's Bank Address Postal Code

Beneficiary's Bank Address Country Code

Beneficiary's Bank Address State Code

Sender Reference

Beneficiary Reference

OBI - Originator to Beneficiary Instructions

Sending Institution Name

Sending Institution Account ID

Sending Institution Account Type

Sending Institution Address Street 1

Sending Institution Address Street 2

Sending Institution Address Street 3

Sending Institution Address City

Sending Institution Address Postal Code

Sending Institution Address Country Code

Sending Institution Address State Code

Receiving Institution Name

Receiving Institution Account ID

Receiving Institution Account Type

Receiving Institution Address Street 1

Receiving Institution Address Street 2

Receiving Institution Address Street 3

Receiving Institution Address City

Receiving Institution Address Postal Code

Receiving Institution Address Country Code

Receiving Institution Address State Code

Intermediate 1 Name

Intermediate 1 Account ID

Intermediate 1 Address Street 1

Intermediate 1 Address Street 2

Intermediate 1 Address Street 3

Intermediate 1 Address City

Intermediate 1 Address Postal Code

Intermediate 1 Address Country Code

Intermediate 1 Address State Code

Intermediate 2 Name

Intermediate 2 Account ID

Intermediate 2 Address Street 1

Intermediate 2 Address Street 2

Intermediate 2 Address Street 3

Intermediate 2 Address City

Intermediate 2 Address Postal Code

Intermediate 2 Address Country Code

Intermediate 2 Address State Code

Intermediate 3 Name

Intermediate 3 Account ID

Intermediate 3 Address Street 1

Intermediate 3 Address Street 2

Intermediate 3 Address Street 3

Intermediate 3 Address City

Intermediate 3 Address Postal Code

Intermediate 3 Address Country Code

Intermediate 3 Address State Code

- 5. For any requested document which is being withheld on the basis of a claim of privilege, please identify the document, and for each such document state:
 - a. Author
 - b. Designated and intended recipient(s)
 - c. Person(s) to whom it was circulated
 - d. Date
 - e. Subject matter
 - f. Privilege asserted
- 6. If a portion of any document responsive to these requests is withheld under claim of privilege, any non-privileged portion of such document must be produced with the portion claimed to be privileged redacted.
- 7. If you file a timely objection to any portion of a request, definition or an instruction, provide a response to the remaining portion.

- 8. The attached Subpoena shall apply to all documents that you, or any of your present or former agents, attorneys, assigns, consultants, employees, and/or successors possess, control or can access in the ordinary course of business.
- 9. In responding to these requests, you shall produce all responsive documents in your possession, custody or control or in the possession, custody or control of your agents, employees, attorneys, accountants, representatives, or anyone acting or purporting to act on your behalf. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.
- 10. If any document requested by the attached Subpoena is no longer in the possession of or subject to the control of the party upon whom this demand is made, said party shall provide a listing which identifies the present custodian of the document, including in such identification the full name, residence and business address, business affiliation and job title, and state further what and when disposition was made of said document. If all copies of the document have been destroyed, please identify the person or person authorizing the destruction of the document and specify the date of the destruction of the document.
- 11. In lieu of appearing in person and producing the documents as set forth in the attached subpoena, prior to the deadline you may forward a copy of all produced and responsive documents to Bruce Marks, Esq., Marks & Sokolov, LLC, 1835 Market Street, 17th Floor, Philadelphia, Pennsylvania 19103.

DEFINITIONS

- 1. The following definitions shall apply to this subpoena:
 - a. <u>Document</u>. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term. The term "document" includes hardcopy and electronic information, regardless of manner of storage.
 - b. <u>Identify (with respect to persons)</u>. When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - c. <u>Identify (with respect to documents)</u>. When referring to documents, "to identify" means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s). In the alternative, the responding party may produce the documents, together with identifying information sufficient to satisfy Fed. R. Civ. P. 33(d).
 - d. <u>Person</u>. The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.
 - e. <u>Concerning</u>. The term "concerning" means relating to, referring to, describing, evidencing or constituting.
 - f. <u>You</u>. The term "you" means the recipient of this discovery request, and all persons acting on behalf of you, including but not limited to officers, agents, attorneys, employees, and representatives.
- 2. The following rules of construction apply to all discovery requests:
 - a. <u>All/Any/Each</u>. The terms "all," "any," and "each" shall each by construed as encompassing any and all.
 - b. <u>And/Or</u>. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - c. <u>Number</u>. The use of the singular form of any word includes the plural and vice versa.
 - d. <u>Including</u>. The term "including" shall be deemed to be followed by the phrase "but not limited to."